

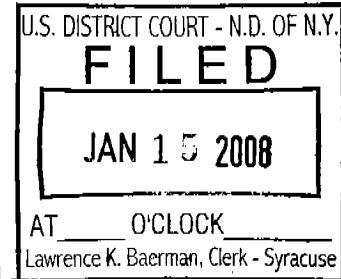
Paul Cipriani, Plaintiff pro-se
(06A0678) Washington Correctional facility
72 Lock 11 Lane, P.O.Box 180
Comstock, New York 12821-0180

Hon. David R.Homer
U.S. District Court
Northern District
James T.Foley US Court House
445 Broadway
Albany, New York 12207-2974

RECEIVED

JAN 15 2008

DAVID R. HOMER
UNITED STATES MAGISTRATE JUDGE
ALBANY, NEW YORK



Re: Cipriani v. County of Schenectady, et al
9:06-CV-0889 (LEK) (DRH)

Dear Hon. D.R.Homer, Sir,

I Paul Cipriani am writing in regards to a letter dated January 8th 2008, from Mr. Jonathan M.Bernstein to you Sir., and to the plaintiff.

I am not sure if you are aware that Honorable Lawrence E. Kahn has filed a order denying my Entry of Default Motion, my Default Motion and my motion to Compell was mooted.

I then filed another motion to Compeell under rule 37 against the defendants for not responding accordingly.

The Court filed a Order to comply with my first motion to Compell against Captain Burns and the plaintiff was not awarded anything for the time and cost of having to copy and file that motion as stated in the Federal rules of the Court, nor was the plaintiff awarded any costs for having to file for an Entry of Default and Default Judgement for not responding accordingly, in which the plaintiff requested respectfully for sanctions for his time and costs of mailing and copying of the above motions that should of been answered and not the Court having to intervene and to prolong this action at hand.

I have respectfully responded to the best of my knowledge and material at hand to the defendants Interrogatories on time as required and signed release forms as they requested, but yet has the defendants complied accordingly to my requests, which are very simple request to answer.

The plaintiff also concludes that my motions, Entry of default, and Default Judgement was denied because the County attorneys office made a mistake when the defendants turned over the complaint to there office and

they the defendants did not answer to the complaint, but the Defendants never mentioned that they did or didnot turn over the copy of the Entry of default or the default Judgement or mention what the did with all the interrogatories sent to them with second requests and all of the defendants were sent copies.

The county of Schenectady then hired attorneys and the plaintiff had already filed for his request for Production of documents and interrogatories and has been waiting months for responce.

The plaintiff also has no control what the County attorney attorney did with my requests and doesnot know what the other defendants did with my request either, but the plaintiff does lack funds to have to keep fileing to the defendants for his requests under Federal Laws.

The plaintiff also states he has sent hundreds of copies to the defendants because he had to serve each defendant with copies and now they have attorneys representing them i must serve all copies of whats been served to them accordingly allready.

I would request that the defendants turn over what was already served to them so there attorneys can respond , because the plaintiff cannot read there minds but only file what the rules tell me to do.

In all due respect Sir, I have not in any way try to prolong this matter and the defendants has surreptitiously been prolonging this matter and having the plaintiff do this extra work as well as the Court, So I would request this Court to hear and Order the defendants to respond and snctions under the rules of the Court for any and all costs incurred .

Dated: January 13,2008

Respectfully,



Paul Cipriani(06A0678)

Plaintiff, pro-se

cc: Jonathan M. Bernstein, Esq.
8 Southwoods Boulevard, Suite 300
Albany, New York 12211-2364
(GOLDBERG SEGALLA LLP.)

Peter M. Scolamiero, Esq.
Burke, Scolamiero, Mortati, & Hurd, LLP
(Attorneys For Schenectady county)
P.O.Box 15085
Albany, New York 12212-5085

CERTIFICATE OF SERVICE

I Paul Cipriani, Declare under the penalty of perjury, that I am over the age of 18 years , and that on the 13th day of January 2008, I have mailed to the below addressed Attorneys a letter dated the 13th of January 2008 to Hon. D.R.Homer as follows:

Peter M. Scolamiero, Esq.

P.O.Box 15085

Albany, New york 12212-5085

and i also declare that i have mailed through U.S.Postal Service to:

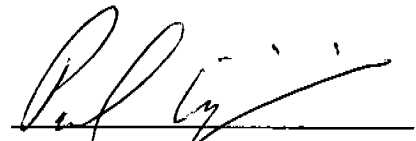
Jonathan M. Bernstein, Esq.

8 Southwoods Boulevard, Suite 300

Albany, New York 12211-2364

by depositing in a mailbox exclusively for mailing by U.S.States Postal Service from Washington Correctional Facility, 72 Lock 11 Lane, P.O.Box 180, Comstock, New York 12821-0180.

Dated: January 13, 2008



Paul Cipriani(06A0678)

plaintiff, pro-se

Washington Corr.Facility

72 Lock 11 Lane, P.O.Box 180

Comstock, New York 12821